



## **COMMUNITY HEALTHCHOICES (CHC)**

### **OPERATIONS MEMORANDUM #2020-07**

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**SUBJECT:** Electronic Visit Verification (EVV) Compliance Procedures for the Participant-Directed Model

**TO:** CHC-Managed Care Organizations (MCO) and the Office of Long-Term Living (OLTL) Fiscal/Employer Agent (F/EA)

**FROM:** Bureau of Policy Development and Communications Management

**DATE:** December 7, 2020

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#### **PURPOSE**

The purpose of this Operations Memorandum is to outline the roles and responsibilities of the CHC-MCOs and the F/EA to satisfy EVV compliance requirements in the participant-directed model of service under the CHC 1915(c) waiver. Section V.X.5. of the CHC Agreement requires CHC-MCOs to have a fully operational EVV system for inhome personal care and home health services that complies with the requirements of 42 U.S.C. § 1396b(l) on an implementation date specified by the Department. Contractual agreements between OLTL and the F/EA also require the F/EA to comply with the requirements of 42 U.S.C. § 1396b(l).

OLTL and Office of Developmental Programs Bulletin 07-20-04, 54-20-04, 59-20-04, 0020-03 titled "Electronic Visit Verification (EVV) for Personal Care Services (PCS)" outlines compliance rates for manual edits to EVV visit data. Appendix E, Participant Direction of Services, of the CHC 1915(c) waiver identifies the roles of the Service Coordinator (SC) and F/EA for the participant-directed model.

Under the participant-directed model, the Participant or their Designated Representative is responsible for ensuring the Direct Care Workers (DCW) providing care to the Participant are compliant with all program policies. If a Participant's DCWs are found to be out of compliance with EVV requirements, the CHC-MCO, SC and F/EA

must provide education and assistance to the Participant/Representative to improve EVV data integrity.

## **PROCEDURES**

Beginning January 1, 2021, Participants/Representatives must ensure that DCWs providing services subject to EVV requirements under the participant-directed model achieve a compliance rate of 50% or less of EVV visits manually entered or edited.

If an EVV visit is missing information or the EVV visit information was entered incorrectly and requires any type of edit or correction, it is deemed a manual edit. If an EVV visit was unable to be captured at the time of service and must be manually entered after the service is delivered, it is deemed a manual entry.

The compliance rate is determined using the Manual Edit Compliance Rate Equation: The cumulative number of visits in a quarter that were manually entered or manually edited by all of the Participant's DCWs, divided by the total number of visits rendered by all of the Participant's DCWs in a quarter. This rate must be less than or equal to 50% to achieve compliance.

## **Roles**

### **F/EA**

- The F/EA must provide to the CHC-MCOs, at a minimum, monthly compliance reports identifying each DCW's compliance rates and their association with each Participant and CHC-MCO.
- The F/EA must provide a quarterly report tailored to Participants or Designated Representatives documenting the manual editing rate for each of the Participant/Designated Representatives' DCWs and the combined rate of all DCWs serving the Participant. This report must also be made available to the appropriate CHC-MCO.
- The F/EA must provide education and assistance to support improved utilization of EVV including, but not limited to the following:
  - Web-based resources available to Participants/ Designated Representatives, DCWs and CHC-MCOs:
    - The web-based materials must include video content and downloadable digital documents tailored to Participants/Representatives explaining the requirements for EVV, how to use the available technologies, and how to avoid common mistakes that lead to non-compliance.

- All education materials must be updated and available prior to the release of any system changes that would impact the information presented in the materials.
- The F/EA shall provide paper copies of EVV educational materials upon request.
- Customer service representatives available to Participants/Representatives and DCWs to provide EVV system support, instruction, and troubleshooting for all available technologies.
- The F/EA must work with the CHC-MCOs and OLTL to address emergent patterns or concerns that require revisions to the established educational materials or compliance procedures.

### **CHC-MCO**

- The CHC-MCOs must provide training to SCs and/or other staff in order for SCs and appropriate staff to be able to assist Participants by directing the Participant/Representative to available resources and education information and assisting the Participant/Representative in understanding EVV requirements and resources.
- When a DCW is found to be non-compliant, the CHC-MCO or SC must contact the Participant/Representative to review EVV requirements, provide information about educational resources, and identify what actions the Participant/Representative will take to improve compliance rates with their DCWs.
- CHC-MCOs and SCs must document all activities related to EVV outreach, compliance, and education.
- The CHC-MCOs must monitor Participants/Representatives when their DCWs have patterns of non-compliance to ensure their compliance rates improve.
  - Appendix E-1(m), Involuntary Termination of Participant Direction Services, of the CHC 1915(c) waiver outlines involuntary termination policies and procedures when consistent nonadherence to program policies is identified. • The CHC-MCOs must work with the F/EA and OLTL to address emergent patterns or concerns that require revisions to the established educational materials or compliance process.

### **NEXT STEPS**

1. Review this information with appropriate staff.
2. Contact the Bureau of Policy Development and Communications Management if you have questions.